



MAIL STOP AMENDMENT
Attorney Docket No.: 27558U

JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
KAUTZ

Confirmation No.: 1422

Serial No.: 10/590,803

Group Art Unit: 1611

Filed: August 25, 2006

Examiner: SZNAIDMAN, M.

For: **NOVEL HYDROXY-6-HETEROARYLPHENANTHRIDINES AND THEIR USE
AS PDE4 INHIBITORS**

TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

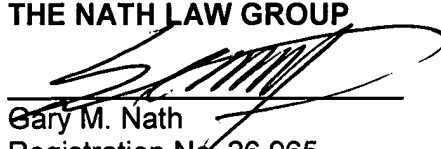
Submitted herewith for filing in the U.S. Patent and Trademark Office is the following:

- (1) Transmittal Letter; and
- (2) Response to Restriction/Election Requirement.

The Commissioner is hereby authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 14-0112.

Date: June 2, 2008

Respectfully submitted,
THE NATH LAW GROUP


Gary M. Nath
Registration No. 26,965
Sheldon M. McGee
Registration No. 50,454
Customer No. 34375

THE NATH LAW GROUP
112 South West Street
Alexandria, VA 22314
Tel: (703) 548-6284
Fax: (703) 683-8396
JBG/SMM/few/Seq.TL.doc



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RESPONSE TO RESTRICTION / ELECTION REQUIREMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is in response to the Official Action dated May 1, 2008. The one-month shortened statutory period for response is set to expire on June 1, 2008. However, since June 1, 2008 fell on a Sunday, pursuant to **MPEP §1.7**, the period for response is set to expire on the next succeeding business day, which is June 2, 2008. Accordingly, this Response is timely filed within the time period set by the Examiner.

REMARKS

Claims 1-24, 26 and 29-31 are pending in the captioned application. The Examiner has indicated that claims 1-31 are subject to restriction and/or election for the following reasons, in relevant part:

First election:

Applicant is required to elect a single disclosed species. Specifically, Applicant is required to define each of R1, R2, R3, R4, R5, R6, etc. groups with a particular species.